IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 9012 of 2004(W)

PETITIONER:

UNIVERSAL GLOVES PVT.LTD.,
35/2566, JANATHA ROAD, PALARIVATTOM,
REP. BY ITS DIRECTOR SRI.K.G. MATHEW.

BY ADV. SRI.V.M.KURIAN
SRI.A.V.THOMAS
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

RESPONDENTS:
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1. **KERALA STATE INDUSTRSIAL DEVELOPMENT CORPORATION LTD., KESTON ROAD, KOWDIAR, THIRUVANANTHAPURAM-3, REP. BY ITS GENERALA MANAGER & SECRETARY.**

2. **BOARD FOR INDUSTRIAL & FINANCIAL RECONSTRUCTION, GOVT. OF INDIA, MINISTRY OF FINANCE, DEPARTMENT OF ECONOMIC AFFAIRS, JAAWAHAR VYAPAR BHAVAN, 1, TOLSTOY MARG, NEW DELHI-110 001.**

BY ADV. SRI.M.PATHROSE MATHAI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C0 NO.9012/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE LETTER DT. 13.5.03 ISSUED BY THE BOARD FOR INDUSTRIAL AND FINANCIAL RECONSTRUCTION, NEW DELHI TO THE PETITIONER.

EXT.P2:- COPY OF THE NOTICE DT. 11.2.04 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P3:- COPY OF THE REPLY DT. 28.2.04 ISSUED BY THE PETITIONER TO THE 1ST RESPONDENT.

/TRUE COPY/

P.A. TO JUDGE

tss

KURIAN JOSEPH J.

W.P.(C) No.9012 of 2004

Dated 9th August, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus or other appropriate writ order or direction commanding the first respondent not to proceed with Ext.P2 notice till the completion of the proceedings pending before the BIFR".

It is not disputed that the proceedings are still pending before the BIFR. Therefore, the writ petition is disposed of making it clear that as against the petitioner, further recovery pursuant to Ext.P2 shall be taken only after the disposal of the matter before the BIFR.

KURIAN JOSEPH, JUDGE.

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